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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,245	09/15/1999	FRANK LEYMAN	GE998-078	7155

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EXAMINER

TANG, KENNETH

ART UNIT PAPER NUMBER

2127

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/396,245

Applicant(s)

LEYMANN ET AL.

Examiner

Kenneth Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's arguments, see Response, filed 3/24/04, with respect to the rejection(s) of claim 1 under 35 USC § 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shegemi et al. and David et al.
2. Claims 1-6 are presented for examination.

#### *Claim Objections*

3. Claims 4-6 are objected to under 37 CFR 1.75(c) as being in improper form because of the multiple dependent claims 4-6. See MPEP § 608.01(n). Accordingly, the claims 4-6 are not been further treated on the merits. It is required that claims 4-6 be written in independent form or cancelled.

#### *Drawings*

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "timed-evaluation-step is continuing the processing to start the target-activity even if not all truth-values the incoming control-connectors have been posted yet" (*claim 1*) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures

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appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 recites the limitation "the truth-value" in line 8. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable by Shigemi et al. (hereinafter Shigemi) (US 6,314,434 B1) in view of Davis et al. (hereinafter Davis) (US 5,870,545).**

7. As to claim 1, Shigemi teaches a computerized method for processing of start-conditions processed by a computer system acting as a Workflow-Management-System (WFMS) or a computer system with comparable functionality (*col. 19, lines 5-18*):

- said WFMS comprising at least one process-model said process-model modeling a process comprising one or more process-activities being nodes of an arbitrary graph and directed control-connectors of said graph defining a potential control flow within said process-model (*col. 8, lines 37-48, Fig. 1, col. 5, lines 11-24*);
- said method evaluating, if a target-activity representing a work item of said process may be started, by evaluating the truth-value of a start-condition once the truth-values of all incoming control-connectors of said target-activity have been posted (*col. 19, lines 17-19*).
- and said method being further characterized by comprising a timed-evaluation-step, said timed-evaluation-step evaluating (*col. 9, line 67, Fig. 4, item 11*):
  - o if at least a first one of said incoming control-connectors is associated with a time-interval (*col. 9, line 67, Fig. 1, Fig. 4, item 11*)
  - o if said time-interval has been met (*col. 9, line 67, Fig. 1, Fig. 4, item 11*);

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Shigemi teaches that in the affirmative case, said timed-evaluation-step is continuing the processing to start said target-activity (*col. 19, lines 5-31*) but fails to explicitly teach doing this even if not all truth-values of said incoming control-connectors have been posted yet.

However, Davis teaches concurrent processing of activities (*col. 14, lines 2-8*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of continuing the processing to start said target-activity even if not all truth-values of said incoming control-connectors have been posted yet because this allows for atomic execution and full or partial synchronization (*col. 14, lines 1-9*).

Shigemi also fails to explicitly teach using Boolean values as the truth-values. However, Davis teaches using Boolean values to control processing of the activities (*col. 12, lines 52-60, col. 12, lines 44-51*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of having Boolean values as the truth-values because it provides an indicator of when action needs to take place based on conditions, and therefore, providing control (*col. 12, lines 48-51*).

8. As to claim 2, Davis teaches a method processing of start-conditions:

- wherein said first incoming control-connector is associated with a commencing-activity, the commencing-activity corresponding to one of the process-activities in the process model (*see Figure 7, col. 12, lines 44-51, col. 12, lines 24-26, col. 13 lines 10-20, col. 12, lines 18-26*);

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- wherein said timed-evaluation-step uses as starting point for said time-interval the point in time when said commencing-activity is completed. (*col. 12, lines 24-26, col. 13 lines 10-20, and col. 17, lines 53-56, col. 12, lines 44-51*).

9. As to claim 3, Davis teaches a method for processing of start-conditions (*col. 12, lines 18-26*):

- wherein said first incoming control-connector is associated with a path from said commencing-activity to said target-activity (*see Figure 7, col. 15, lines, 53-67, col. 12, lines 44-51, col. 12, lines 24-26, col. 13 lines 10-20*).
- said timed-evaluation-step is continuing the processing to start said target-activity, if said associated path has been traversed (*col. 7, lines 27-35, col. 12, lines 24-26, and col. 13 lines 10-20*);

4. As to claim 4, it is rejected for the same reasons as stated in the rejections of claims 1-3.

5. As to claim 5, it is rejected for the same reasons as stated in the rejections of claims 1-3.

In addition, Davis includes a data processing program for execution in a data processing system comprising software (*see Abstract*).

10. As to claim 6, it is rejected for the same reasons as stated in the rejections of claims 1-3.

In addition, Davis includes a data processing program for execution in a data processing system comprising software (*see Abstract*).

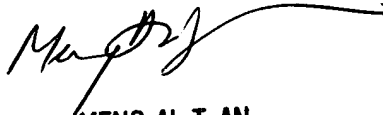
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (703) 305-5334. The examiner can normally be reached on 8:30AM - 7:00PM, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt  
7/19/04

  
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